

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
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<http://www.jpml.uscourts.gov>

July 9, 2003

FILED ENTERED
LODGED RECEIVED

JUL 14 2003

AT SEATTLE
CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

Bruce Rifkin, Clerk
215 William Kenzo Nakamura U.S. Courthouse
1010 Fifth Avenue
Seattle, WA 98104-1130

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

(See Attached Schedule CTO-30)


Dear Mr. Rifkin:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule on June 23, 2003. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Attachments

cc: Transferee Judge: Judge Barbara Jacobs Rothstein
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)



01-MD-01407-ORD

JPML Form 38

A CERTIFIED TRUE COPY

JUL -9 2003

ATTEST
FOR THE JUDICIAL PANEL OF
MULTIDISTRICT LITIGATION

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JUDICIAL PANEL ON
DISTRICT LITIGATION

JUL 14 2003

JUN 23 2003

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

FILED
CLERK'S OFFICE

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY
LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-30)

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,087 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUL -9 2003

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck
Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-30 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT DIV. CIVIL ACTION#

ALABAMA MIDDLE

ALM 2 03-445 Viola Traylor v. GlaxoSmithKline

ALABAMA NORTHERN

ALN 2 02-3045 Lorie Ann Sandford v. Delaco Co., et al.

ALN 2 03-302 Vivian Lamar, et al. v. Bayer Corp., et al.

ALABAMA SOUTHERN

ALS 1 03-159 Yolanda Jones, et al. v. Bristol-Myers Squibb Co.

ALS 1 03-233 Gloria Davis v. Wyeth, et al.

ARKANSAS EASTERN

ARE 4 03-251 Marilyn Fitzmaurice, et al. v. Chattem, Inc., et al.

DISTRICT OF COLUMBIA

DC 1 03-765 Daniel Jay Banes v. Wyeth, et al.

FLORIDA NORTHERN

FLN 3 03-133 Kathryn Maneilly, et al. v. Bayer Corp.

FLORIDA SOUTHERN

FLS 0 03-60459 Susan Luckett v. Perrigo Co., et al.

ILLINOIS SOUTHERN

ILS 3 03-7 Lynette Hamilton, etc. v. GlaxoSmithKline, et al.

INDIANA SOUTHERN

INS 4 02-235 Barbara Wilcox v. Chattem, Inc., et al.

LOUISIANA WESTERN

LAW 5 03-160 James A. Johnson v. American Home Products Corp., et al.

MAINE

ME 1 03-41 Warren Pettegrow v. Wyeth, et al.

MINNESOTA

MN 0 03-2902 Leah O'Leary v. Wyeth, et al.

MISSISSIPPI NORTHERN

MSN 1 03-156 Virginia Young, etc. v. Novartis Consumer Health, Inc., et al.

MSN 1 03-161 Elvira Blanchard, et al. v. Thompson Medical Co., Inc., et al.

~~MSN 2 03-172 Royal Lewis, et al. v. Bayer Corp., et al. Opposed 07/08/03~~

MSN 3 03-64 Casey Pegues, et al. v. Wyeth, et al.

~~MSN 4 03-207 Verna Dunlap, et al. v. Bayer Corp., et al. Opposed 07/09/03~~

MSN 4 03-216 Marcus Tingle, et al. v. Bayer Corp., et al.

MSN 4 03-235 Susan Buckner v. Novartis Consumer Health, Inc., et al.

MISSISSIPPI SOUTHERN

MSS	1	03-265	Pauline Thomas, et al. v. Bayer Consumer Care, et al.
MSS	1	03-266	Loretta Thornton, et al. v. Bayer Consumer Care
MSS	2	02-912	Rosie Smith, et al. v. Bayer Corp., et al.
MSS	2	02-922	A.C. May, et al. v. American Home Products Corp., et al.
MSS	2	02-936	Elliot Cowart, et al. v. Bayer Corp., et al.
MSS	2	03-70	Michael Gerard Barlow, et al. v. GlaxoSmithKline, et al. Opposed 07/09/03
MSS	2	03-173	Dorothy Mitchell v. R&M Foods, Inc., et al.
MSS	2	03-185	John Hicks, et al. v. Bayer Corp., et al.
MSS	2	03-193	Nathan Frank Townsend, et al. v. Wyeth, et al. Opposed 07/08/03
MSS	2	03-268	Louise Overstreet, etc. v. Bayer Corp., et al. Opposed 07/08/03
MSS	3	02-1843	Elaine Thompson v. Bayer Corp., et al.
MSS	3	02-1844	Margaret Rogers, et al. v. Bayer Corp., et al.
MSS	3	02-1848	Ansleum White, et al. v. American Home Products Corp., et al.
MSS	3	03-461	Calvin Hobson v. Bayer Consumer Care
MSS	3	03-470	Emmit Paige v. Bayer Corp., et al.
MSS	3	03-532	Carrie Goodman, et al. v. Bayer Corp., et al.
MSS	3	03-591	John A. Percy, et al. v. Bayer Consumer Care, et al.
MSS	4	03-153	James D. Thigpen, et al. v. Bayer Corp., et al. Opposed 07/09/03
MSS	5	03-201	James B. Whitney, etc. v. Bayer Consumer Care
MSS	5	03-221	Isiah Reed, et al. v. Block Drug Co., Inc., et al.
MSS	5	03-237	Barbara Bailey, etc. v. Block Drug Co., Inc., et al.

NEBRASKA

NE	4	02-3302	Kay Goodman, et al. v. Sidmak Laboratories, Inc., et al.
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NEW JERSEY

NJ	2	03-1468	Alice Garrett v. The Delaco Co., et al.
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NEW YORK SOUTHERN

NYS	1	03-1786	Theodore Alston v. Bayer Corp.
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OHIO NORTHERN

OHN	5	03-676	Dedrea Wilson, et al. v. Bayer Corp. Vacated 07/09/03
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PENNSYLVANIA EASTERN

PAE	2	03-2343	Frances C. Hall v. SmithKline Beecham Corp.
PAE	2	03-2344	John Michalicka v. Bayer Corp.
PAE	2	03-2345	Lynda Hertzendorf, et al. v. Wyeth

SOUTH CAROLINA

SC	4	03-1435	Kuturah Bellamy, et al. v. SmithKline Beecham Corp., et al.
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TEXAS EASTERN

TXE	2	02-285	Christy Rawls, et al. v. Perrigo Co., et al.
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TEXAS SOUTHERN

TXS	7	02-538	Zulema Trevino v. Chattem, Inc., et al.
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TEXAS WESTERN

TXW	5	03-256	Carol Moody v. Chattem, Inc., et al.
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INVOLVED JUDGES LIST (CTO-30)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

~~Hon. John R. Adams~~
~~U.S. District Judge~~
~~570 U.S. Courthouse & Federal Building~~
~~Two South Main Street~~
~~Akron, OH 44308~~

Hon. Joseph F. Andersen, Jr.
 Chief Judge, U.S. District Court
 P.O. Box 447
 Columbia, SC 29202-0447

Hon. William H. Barbour, Jr.
 U.S. District Judge
 430 James O. Eastland U.S. Courthouse
 245 East Capitol Street
 Jackson, MS 39201

Hon. David C. Bramlette
 U.S. District Judge
 216 Federal Building
 725 Martin Luther King, Jr. Blvd.
 Biloxi, MS 39530

Hon. Naomi Reice Buchwald
 U.S. District Judge
 2270 Daniel Patrick Moynihan
 U.S. Courthouse
 500 Pearl Street
 New York, NY 10007-1312

Hon. Charles R. Butler, Jr.
 Chief Judge, U.S. District Court
 John A. Campbell U.S. Courthouse
 113 St. Joseph Street
 Mobile, AL 36602-3606

Hon. U. W. Clemon
 Chief Judge, U.S. District Court
 519 Hugo L. Black U.S. Courthouse
 1729 Fifth Avenue North
 Birmingham, AL 35203

Hon. Lacey A. Collier
 U.S. District Judge
 U.S. Courthouse
 One North Palafox Street
 Pensacola, FL 32502

Hon. Stewart Dalzell
 U.S. District Judge
 5614 James A. Byrne U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106

Hon. Glen H. Davidson
 Chief Judge, U.S. District Court
 P.O. Box 767
 Aberdeen, MS 39730-0767

Hon. William P. Dimitrouleas
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Hon. Jan E. DuBois
 Senior U.S. District Judge
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 601 Market Street
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Hon. Orlando L. Garcia
 U.S. District Judge
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 655 East Durango Boulevard
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 238 Federal Building
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 4317 E. Barrett Prettyman
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~~Chief Judge, U.S. District Court~~
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~~U.S. Courthouse~~
~~245 East Capitol Street~~
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INVOLVED CLERKS LIST (CTO-30)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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